

HOUSE No. 556

By Mr. Connolly of Everett, petition of Edward G. Connolly
relative to indemnification of public retirees. Public Service.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT RELATIVE TO INDEMNIFICATION OF PUBLIC RETIREES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 100B of Chapter 41 of the General Laws, as appearing
2 in the 2000 Official Edition, is hereby amended by inserting after
3 the last sentence thereof the following sentences:— Such panel
4 shall act on an application hereunder within sixty days of its
5 receipt of due proof from the applicant. An applicant, aggrieved
6 by any denial of his application or the failure of such panel to act
7 hereon within sixty days, may petition the superior court in equity
8 to determine whether such panel has without good cause failed to
9 act on such an application, or has been arbitrary or capricious, or
10 has abused discretion, or otherwise has not acted in accordance
11 with the law. After due notice and hearing, such court may order
12 such panel to act on such application, or to consider or further
13 consider and determine the same in conformity with the law, and
14 award the applicant costs, attorney fees and such other relief if
15 deems proper in prosecuting his petition. The expenses, for which
16 indemnification is certified by such panel, shall be paid out of
17 funds appropriated for such purpose within sixty days of such cer-
18 tification, may petition the superior court to order such payment
19 and award the applicant costs, attorney fees and such other relief
20 it deems proper in prosecuting his petition.